

To: Shaun Sanchez[shaun_sanchez@fws.gov]
Cc: Jeff Rupert[jeff_rupert@fws.gov]
From: Hildebrandt, Betsy
Sent: 2017-05-12T10:05:54-04:00
Importance: Normal
Subject: Fwd: Agenda for tomorrow Monument Review Team meeting
Received: 2017-05-12T10:06:04-04:00
[Monuments Review EO.docx](#)
[Initial Data Request Related to Review of National Monuments.docx](#)
[OS Draft Notice EO 13792 Review 50517 final.docx](#)

Shaun, as we discussed, the initial data request doc is attached for your folks pulling together info.

----- Forwarded message -----

From: **Bowman, Randal** <randal_bowman@ios.doi.gov>
Date: Wed, May 10, 2017 at 2:59 PM
Subject: Agenda for tomorrow Monument Review Team meeting
To: Aaron Moody <aaron.moody@sol.doi.gov>, Ann Navaro <ann.navaro@sol.doi.gov>, Herbert Frost <bert_frost@nps.gov>, Benjamin Simon <benjamin_simon@ios.doi.gov>, Betsy Hildebrandt <betsy_hildebrandt@fws.gov>, "Maucieri, Mathew" <mmaucieri@usbr.gov>, Tanya Joshua <tanya_joshua@ios.doi.gov>, "Appel, Elizabeth" <elizabeth.appel@bia.gov>, "McAlear, Christopher" <cmcalear@blm.gov>, Jeff Rupert <Jeff_Rupert@fws.gov>, Randal Bowman <randal_bowman@ios.doi.gov>

Monument Review Team Initial Meeting Agenda

May 11, 2017, 10 am, Room 6122

Mission Summary

Introductions

Initial data call (attached to transmittal email) discussion –

initial impressions on how much of this is likely to be available and how long to assemble

Tentative due dates – Bears Ears and Grand Staircase/Escalante Tuesday 5/16

All others Friday 6/2

Options to guide review

Help with public comments

Marine Monuments - with NOAA, possibly others

Other agencies – DOD and Forest Service, Energy, Homeland Security, others

Other – suggestions , comments, questions

Next meeting next week, to be determined by availability of Downey Magallanes of Sec. staff – any times members not available?

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Betsy Hildebrandt
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The White House
Office of the Press Secretary
For Immediate Release
April 26, 2017

Presidential Executive Order on the Review of Designations Under the Antiquities Act

EXECUTIVE ORDER 13792

REVIEW OF DESIGNATIONS UNDER THE ANTIQUITIES ACT

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in recognition of the importance of the Nation's wealth of natural resources to American workers and the American economy, it is hereby ordered as follows:

Section 1. Policy. Designations of national monuments under the Antiquities Act of 1906, recently recodified at sections 320301 to 320303 of title 54, United States Code (the "Antiquities Act" or "Act"), have a substantial impact on the management of Federal lands and the use and enjoyment of neighboring lands. Such designations are a means of stewarding America's natural resources, protecting America's natural beauty, and preserving America's historic places. Monument designations that result from a lack of public outreach and proper coordination with State, tribal, and local officials and other relevant stakeholders may also create barriers to achieving energy independence, restrict public access to and use of Federal lands, burden State, tribal, and local governments, and otherwise curtail economic growth. Designations should be made in accordance with the requirements and original objectives of the Act and appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities.

Sec. 2. Review of National Monument Designations. (a) The Secretary of the Interior (Secretary) shall conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with

relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of this order. In making those determinations, the Secretary shall consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
- (ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";
- (iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- (iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
- (v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
- (vi) the availability of Federal resources to properly manage designated areas; and
- (vii) such other factors as the Secretary deems appropriate.

(b) In conducting the review described in subsection (a) of this section, the Secretary shall consult and coordinate with, as appropriate, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, and the heads of any other executive departments or agencies concerned with areas designated under the Act.

(c) In conducting the review described in subsection (a) of this section, the Secretary shall, as appropriate, consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, tribal, and local governments.

(d) Within 45 days of the date of this order, the Secretary shall provide an interim report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section with respect to Proclamation 9558 of December 28, 2016 (Establishment of the Bears Ears National Monument), and such other designations as the Secretary determines to be appropriate for inclusion in the interim report. For those designations, the interim report shall include

recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

(e) Within 120 days of the date of this order, the Secretary shall provide a final report to the President, through the Director of the Office of Management and Budget, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chairman of the Council on Environmental Quality, summarizing the findings of the review described in subsection (a) of this section. The final report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
April 26, 2017.

4334-63

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Docket No. DOI-2017-0002

Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment

AGENCY: Office of the Secretary, Interior.

ACTION: Notice; Request for comments.

SUMMARY: The U.S. Department of the Interior is conducting a review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792 of April 26, 2017. The Secretary of the Interior will use the review to determine whether each designation or expansion conforms to the policy stated in the Executive Order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy. This Notice identifies twenty-seven National Monuments under review and invites comments to inform the review.

DATES: To ensure consideration, written comments relating to the Bears Ears National Monument must be submitted before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Written comments relating to all other National Monuments must be submitted before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit written comments online at <http://www.regulations.gov> by entering “DOI-2017-0002” in the Search bar and clicking “Search,” or by mail to Monument Review, MS-1530, U.S. Department of the Interior, 1849 C Street NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Randal Bowman, 202-208-1906,

RR_Bowman@ios.doi.gov.

SUPPLEMENTARY INFORMATION: Executive Order 13792 of April 26, 2017 (82 FR 20429, May 1, 2017), directs the Secretary of the Interior to review certain National Monuments designated or expanded under the Antiquities Act of 1906, 54 U.S.C. 320301-320303 (Act). Specifically, Section 2 of the Executive Order directs the Secretary to conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of the order. Among other provisions, Section 1 states that designations should reflect the Act's "requirements and original objectives" and "appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities." 82 FR 20429 (May 1, 2017).

In making the requisite determinations, the Secretary is directed to consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
- (ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";

- (iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- (iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
- (v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
- (vi) the availability of Federal resources to properly manage designated areas; and
- (vii) such other factors as the Secretary deems appropriate.

82 FR 20429-20430 (May 1, 2017).

The National Monuments being initially reviewed are listed in the following tables.

**NATIONAL MONUMENTS BEING INITIALLY REVIEWED PURSUANT TO
CRITERIA IN EXECUTIVE ORDER 13792**

| Monument | Location | Year(s) | Acreage |
|------------------------------|-----------------|----------------|----------------|
| Basin and Range | Nevada | 2015 | 703,585 |
| Bears Ears | Utah | 2016 | 1,353,000 |
| Berryessa Snow Mountain | California | 2015 | 330,780 |
| Canyons of the Ancients | Colorado | 2000 | 175,160 |
| Carrizo Plain | California | 2001 | 204,107 |
| Cascade Siskiyou | Oregon | 2000/2017 | 100,000 |
| Craters of the Moon | Idaho | 1924/2000 | 737,525 |
| Giant Sequoia | California | 2000 | 327,760 |
| Gold Butte | Nevada | 2016 | 296,937 |
| Grand Canyon-Parashant | Arizona | 2000 | 1,014,000 |
| Grand Staircase-Escalante | Utah | 1996 | 1,700,000 |
| Hanford Reach | Washington | 2000 | 194,450.93 |
| Ironwood Forest | Arizona | 2000 | 128,917 |
| Mojave Trails | California | 2016 | 1,600,000 |
| Organ Mountains-Desert Peaks | New Mexico | 2014 | 496,330 |
| Rio Grande del Norte | New Mexico | 2013 | 242,555 |
| Sand to Snow | California | 2016 | 154,000 |
| San Gabriel Mountains | California | 2014 | 346,177 |
| Sonoran Desert | Arizona | 2001 | 486,149 |
| Upper Missouri River Breaks | Montana | 2001 | 377,346 |
| Vermilion Cliffs | Arizona | 2000 | 279,568 |

**NATIONAL MONUMENTS BEING REVIEWED TO DETERMINE WHETHER THE
DESIGNATION OR EXPANSION WAS MADE WITHOUT ADEQUATE PUBLIC
OUTREACH AND COORDINATION WITH RELEVANT STAKEHOLDERS**

| | | | |
|---------------------------|-------|------|--------|
| Katahdin Woods and Waters | Maine | 2016 | 87,563 |
|---------------------------|-------|------|--------|

The Department of the Interior seeks public comments related to: (1) Whether national monuments in addition to those listed above should be reviewed because they were designated or expanded after January 1, 1996 “without adequate public outreach and coordination with relevant stakeholders;” and (2) the application of factors (i) through (vii) set forth above to the listed national monuments or to other Presidential designations or expansions of designations meeting the criteria of the Executive Order. With respect to factor (vii), comments should address other factors the Secretary might consider for this review.

In a separate but related process, certain Marine National Monuments will also be reviewed. As directed by section 4 of Executive Order 13795 of April 28, 2017, “Implementing an America-First Offshore Energy Strategy” (82 FR 20815, May 3, 2017), the Department of Commerce will lead the review of the Marine National Monuments in consultation with the Secretary of the Interior. To assist in that consultation, the Secretary will accept comments related to the application of factors (i) through (vii) in Executive Order 13792 as set forth above to the following Marine National Monuments:

**MARINE NATIONAL MONUMENTS BEING REVIEWED PURSUANT TO
EXECUTIVE ORDERS 13795 AND 13792**

| | | | |
|---------------------------------|--------------------|------|------------|
| Marianas Trench | CNMI/Pacific Ocean | 2009 | 60,938,240 |
| Northeast Canyons and Seamounts | Atlantic Ocean | 2016 | 3,114,320 |
| Pacific Remote Islands | Pacific Ocean | 2009 | 55,608,320 |

| | | | |
|-------------------|----------------|-----------|------------|
| Papahānaumokuākea | Hawaii | 2006/2016 | 89,600,000 |
| Rose Atoll | American Samoa | 2009 | 8,609,045 |

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

AUTHORITY: E.O. 13792, 82 FR 20429 (May 1, 2017).

James Cason
Special Assistant
Delegated the Functions, Duties, and Responsibilities of the Deputy Secretary

Call for Data Related to Review of National Monuments under EO 13792 (April 26, 2017)

Please help us gather information about each of the items listed below, for each of the National Monuments listed below in Table 1.

1. Documents Requested
 - a. Resource Management Plans/Land Use Plans
 - b. Record of Decision
 - c. Public Scoping Documents
 - d. Presidential Proclamation
2. Information on activities permitted at the Monument, including annual levels of activity from the **date of designation to the present**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)
 - f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
2. Information on activities occurring during the **5 years prior to designation**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)
 - f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
3. Information on activities that likely would have occurred annually from the date of designation to the present **if the Monument had not been designated**
 - a. Recreation - annual visits to site
 - b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - c. Minerals - annual mineral production on site
 - d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - e. Grazing - annual grazing on site (AUMs permitted and sold)

- f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
- 4. Changes to boundaries - dates and changes in size
- 5. Public Outreach prior to Designation - outreach activities conducted and opportunities for public comment
- 6. Terms of Designation

Table 1. List of National Monuments Included in Review (per DoI Press Release dated May 5, 2017)

| National Monument | Location | Managing Agency |
|---------------------------------|------------------------------|-----------------|
| Basin and Range | Nevada | BLM |
| Bears Ears | Utah | BLM, USFS |
| Berryessa Snow Mountain | California | USFS, BLM |
| Canyons of the Ancients | Colorado | BLM |
| Carrizo Plain | California | BLM |
| Cascade Siskiyou | Oregon | #N/A |
| Craters of the Moon | Idaho | NPS, BLM |
| Giant Sequoia | California | USFS |
| Gold Butte | Nevada | BLM |
| Grand Canyon-Parashant | Arizona | BLM, NPS |
| Grand Staircase-Escalante | Utah | BLM |
| Hanford Reach | Washington | FWS, DOE |
| Ironwood Forest | Arizona | BLM |
| Mojave Trails | California | BLM |
| Organ Mountains-Desert Peaks | New Mexico | BLM |
| Río Grande del Norte | New Mexico | BLM |
| Sand to Snow | California | BLM, USFS |
| San Gabriel Mountains | California | USFS |
| Sonoran Desert | Arizona | BLM |
| Upper Missouri River Breaks | Montana | BLM |
| Vermilion Cliffs | Arizona | BLM |
| Katahdin Woods and Waters | Maine | NPS |
| Marianas Trench | CNMI/Pacific Ocean | FWS |
| Northeast Canyons and Seamounts | Atlantic Ocean | NOAA, FWS |
| Pacific Remote Islands | Pacific Ocean | FWS |
| Papahānaumokuākea | Hawai'i/Pacific Ocean | NOAA, FWS |
| Rose Atoll | American Sāmoa/Pacific Ocean | FWS |